

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CIVIL TRIAL MINUTES

**The Honorable WILLIAM H. ALSUP**

Date: May 9, 2012

Case No.: **C10-03561 WHA**

Case Name: **ORACLE AMERICA, INC.** v. **GOOGLE INC.**

Plaintiff's Counsel: Michael Jacobs; Dan Muino; Fred Norton; Andrew Temkin; David Boies  
Steven Holtzman; Dorian Daley; Safra Catz (Corporate Representative)

Defendant's Counsel: Robert Van Nest; Christa Anderson; Dan Purcell; Eugene Paige; Scott Weingaertner  
Matthias Kamber; Renny Hwang; Catherine Lacavera (Corporate Representative)

Clerk: Dawn K. Toland

Court Reporter: Kathy Sullivan; Debra Pas

Trial Began: April 16, 2012

Further Trial: May 10, 2012 at 7:30 am

Trial Motions Heard:

Disposition

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Other:

Time in Trial: 7 hours 30 minutes

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

Case No: **C10-03561 WHA**Case Name: **ORACLE AMERICA, INC.** v. **GOOGLE INC.****EXHIBIT and WITNESS LIST**

<b>JUDGE:</b> WILLIAM H. ALSUP		<b>PLAINTIFF ATTORNEY:</b> Michael Jacobs; Dan Muino Fred Norton; David Boies; Dorian Daley Steven Holtzman; Ken Kuwayti			<b>DEFENSE ATTORNEY:</b> Robert Van Nest; Christa Anderson Dan Purcell; Michael Kwun Bruce Baber	
<b>TRIAL DATE:</b> May 9, 2012		<b>REPORTER(S):</b> Kathy Sullivan; Debra Pas			<b>CLERK:</b> Dawn Toland	
PLF NO.	DEF NO	DATE OFFERED	ID	REC	DESCRIPTION	BY
		<u>7:30 am</u>			<u>Outside the presence of the jury. Plaintiff provided demonstrative exhibits 1129 and 1130. <b>Exhibits 5 and 971 were received into evidence</b></u>	
		<u>7:54 am</u>			<u>Reconvene...jury present</u>	
					<u>Direct of Andy Rubin continued</u>	
<u>20</u>			<u>x</u>	<u>x</u>	<u>Email from Steve Horowitz to Leslie Hawthorn re Nedim</u>	
<u>219</u>			<u>x</u>		<u>Email from Andy Rubin to Alan Eustace re Hiroshi project</u>	
		<u>7:56 am</u>			<u>Cross Examination by Christa Anderson</u>	
	<u>155</u>		<u>x</u>	<u>x</u>	<u>Email from Greg Stein to Andy Rubin re [Opensource-team]</u>	
	<u>2714</u>		<u>x</u>	<u>x</u>	<u>Email from Vineet Gupta to Andy Rubin re Re: Hy</u>	
	<u>616</u>		<u>x</u>	<u>x</u>	<u>Email from Vineet Gupta to Alan Brenner</u>	
	<u>20</u>		<u>x</u>	<u>x</u>	<u>Email from Steve Horowitz to Leslie Hawthorn re Nedim</u>	
	<u>22</u>		<u>x</u>	<u>x</u>	<u>Email from Karen Tsay to deal review@google.com</u>	
		<u>8:18 am</u>			<u>Redirect Examination</u>	
<u>230</u>			<u>x</u>	<u>x</u>	<u>Email from Andy Rubin to Bob Lee</u>	
		<u>8:27 am</u>			<u>Recross Examination</u>	
		<u>8:30 am</u>			<u>Re-Redirect Examination</u>	
		<u>8:31 am</u>			<u>Re-Recross Examination</u>	
		<u>8:31 am</u>			<u>Witness Excused</u>	
					<u>Video Deposition of Andy Rubin</u>	
<u>155</u>			<u>x</u>	<u>x</u>	<u>Email from Greg Stein to Andy Rubin re [Opensource-team]</u>	

<u>230</u>			<u>x</u>	<u>x</u>	Email from Steve Horowitz to Leslie Hawthorn re Nedim
		<u>8:55 am</u>			Plaintiff's witness <b>Andy McFadden</b> sworn-in. Direct by Michael Jacobs
<u>294</u>			<u>x</u>	<u>x</u>	McFadden PDB snippets
<u>955</u>			<u>x</u>	<u>x</u>	Resume of Andrew T. McFadden
<u>292</u>			<u>x</u>	<u>x</u>	Self-assessment from 1/1/07 through 8/31/07
<u>302</u>			<u>x</u>	<u>x</u>	Email from <a href="mailto:hr-help@google.com">hr-help@google.com</a> to Andrew McFadden
<u>737</u>			<u>x</u>	<u>x</u>	Exhibit AB
<u>735</u>			<u>x</u>	<u>x</u>	Exhibit Z
<u>47.1</u>			<u>x</u>	<u>x</u>	Gingerbread:\dalvik\vm\analysis
<u>301</u>			<u>x</u>	<u>x</u>	Email from Andy McFadden to <a href="mailto:Android-performance@google.com">Android-performance@google.com</a>
		<u>9:22 am</u>			Recess
		<u>9:47 am</u>			Reconvene...jury present
<u>46.1</u> <u>4</u>			<u>x</u>	<u>x</u>	Froyo:\dalvik\vm\analysis
<u>47.6</u>			<u>x</u>	<u>x</u>	Gingerbread:\dalvik\vm\oo\Resolve:c
<u>739</u>			<u>x</u>	<u>x</u>	Exhibit AG
<u>27</u>			<u>x</u>	<u>x</u>	All weekly snippets from Andy McFadden
<u>258</u>			<u>x</u>	<u>x</u>	Email from Andy McFadden to Jason Parks
		<u>10:22 am</u>			Cross Examination by Matthias Kamber
		<u>10:27 am</u>			Redirect
		<u>10:30 am</u>			Witness Excused
		<u>10:33 am</u>			Plaintiff's witness <b>Brian Sutphin</b> sworn-in. Direct by Michael Jacobs
		<u>10:40 am</u>			Cross Examination by Robert Van Nest
	<u>971</u>		<u>x</u>	<u>x</u>	Sun Microsystems, inc. For 10-K for the year ending 6/30/08
		<u>10:49 am</u>			Redirect Examination
<u>971</u>			<u>x</u>	<u>x</u>	Sun Microsystems, inc. For 10-K for the year ending 6/30/08
		<u>10:50 am</u>			Witness Excused
					Plaintiff's Witness <b>Professor John Mitchell</b> sworn-in. Direct by Michael Jacobs
<u>4015</u>			<u>x</u>	<u>x</u>	Patent 104
		<u>11:43 am</u>			Recess
		<u>12:02 pm</u>			Reconvene...jury present

